

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Suits-Telugu Ganga Project-Nandyal Unit-Velugodu(V)(M), Kurnool District-Market Value enhanced from Rs. 6500/- to Rs.20000/- per acre-Appeals filed and dismissed by the Hon'ble High Court-Final decretal proposals-Sanction orders-Issued.

IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 240

Dated: 29.4.2010

Read the following:

1. From the Special Chief Secretary to Government & CCLA, A.P. Hyderabad Lr.Ref.No. S1/146/2007, Dated:21.3.2007 and 10.8.2009.
2. From the Special Collector, Srisaillam Project, Kurnool Lr.Rc.A2/181/2007, Dated: 23.9.2009

O R D E R:

The Special Chief Secretary to Government & CCLA, A.P. Hyderabad and Special Collector, Srisaillam Project, Kurnool in the reference Ist and 2nd read above has submitted decretal proposals in O.P. 1047/88, for an amount of Rs.14,711/- (Rupees Fourteen thousand Seven hundred eleven only) for an extent of Ac.6.41 dry land in Sy.No. 1454 etc acquired through Award No. 13/84, dated: 30.11.1984 for formation of Velugodu Balancing Reservoir under T.G.P. The Special Deputy Collector, L.A, T.G.P. Nandyal had acquired the dry lands in Survey No. 1454 etc. for an extent of Ac. 6.41 of Velgodu Village by fixing the market value @ Rs. 6,500/- per acre through Award No. 13/84, dated: 30.11.84 for formation of Velugodu Balancing Reservoir under TGP. Aggrieved with the market value Awarded by the LAO, the awardees have filed petitions u/s. 18(1) of L.A. Act with a request to refer the matter to the Civil Court for adjudication. On making references u/s.18 to the Lower Court, the Senior Civil Judge, Atmakur had delivered judgments enhancing the market value from Rs. 6500/- to Rs. 20000/- per acre in O.P. No. 1047/88. Aggrieved with the market value enhanced by the Lower Court, the Special Deputy Collector, T.G.P. Nandyal has filed appeal in the Hon'ble High Court of A.P. Hyderabad in the O.P.No. 1047/88 against the orders of the Lower Court and the High Court of A.P. has issued interim stay orders on condition to pay 50% of decretal amount. Accordingly proposals for sanction of 50% decretal amount were submitted to the Government and the Government have sanctioned an amount of Rs. 8,182/- towards of 50% of the decretal amount and the same has been deposited in the Senior Civil Judge Court, Atmakur on 10.07.2001. The Advocate General, High Court of A.P. Hyderabad has opined that there is no point in preferring any SLP against the judgment of the Hon'ble High Court of A.P.Hyderabad.

2. After careful examination of the matter, Government hereby accord sanction for an amount of Rs. 14,711/- (Rupees Fourteen thousand Seven hundred Eleven only) towards final decretal charges in respect of O.P. Nos. 1047/88 pertaining to Velugodu Village and Mandal, Kurnool District for the purpose of Velugodu Balancing Reservoir as the Market value was enhanced from Rs. 6,500/- to Rs. 20,000/- per acre. subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government/CCLA, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the Special Collector, SSP, Kurnool should verify the calculations made by the LAO, once again thoroughly with reference to the decree and instructions issued by the Government/CCLA, Hyderabad on the subject from time to time, duly deducting the income tax, as per rules, before depositing the amount in the Lower Court.

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3. The Special Collector, SSP, Kurnool is directed to deposit the above sanctioned decretal amount in the respective court after thorough verification of calculations made by the LAO once again at his level and also verify the decrees and decretal charges, if any, already paid.

4. The amount sanctioned in Para (2) above shall be debitable to the Head of Account under "4701 –COL on Major and Medium Irrigation; 01 – Major Irrigation (Commercial); MH 123 –TGP; G.H. 11- Normal State Plan; S.H. (26) D&A Works ; 530 Major Works; 532 – Lands (charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure may be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5. This order issues with the concurrence of Finance (W&P) Department vide their U.O.No. 1723/F7(A2)/2010, Dated: 8.4.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT

To

The Special Chief Secretary & C.C.L.A. A.P. Hyderabad

The Special Collector, SSP, Kurnool

The Special Deputy Collector, L.A. S.R.B.C.Nandyal

The Chief Engineer, Irrigation, Hyderabad

The Revenue Divisional Officer, Nandyal

The Superintending Engineer, I & CAD, Kurnool

The Director of Works and Accounts, Hyderabad

Copy to

P.S. to Minister (M & MI)

Law Department/Finance (W&P) Department

C.No. 438/L.A.II/A1/2010

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SECTION OFFICER